

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KUEHNE + NAGEL INC.,

Plaintiff,

-against-

NEPTUNE HEALTH & WELLNESS  
INNOVATION, INC.,

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 4/1/2024

1:23-cv-8066-MKV

**ORDER OF DISMISSAL**

MARY KAY VYSKOCIL, United States District Judge:

The Court has been informed by the Magistrate Judge that the parties have reached a settlement in principle. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the parties are unable to memorialize their settlement in writing and as long as the application to restore the action is made by May 1, 2024. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004).

**SO ORDERED.**

Date: April 1, 2024  
New York, NY

  
MARY KAY VYSKOCIL  
United States District Judge